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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BOARD OF TRUSTEES OF THE
EMPLOYEE PAINTERS' TRUST, et al.,

Plaintiffs,

vs.

OLYMPUS CONSTRUCTION LV, INC., et al,

Defendants.

Case No. 2:24-cv-01023-APG-NJK

**STIPULATION AND ORDER TO
EXTEND DEADLINE FOR EXPERT
WITNESS DISCLOSURES AND
RELATED DISCOVERY
DEADLINES**

OLYMPUS CONSTRUCTION LV, INC., et al.,

Counterclaim-Plaintiffs,

vs.

BOARD OF TRUSTEES OF THE
EMPLOYEE PAINTERS' TRUST, et al.,

Counterclaim-Defendants.

(First Request)

Pursuant to Local Rule IA 6.1 and Local Rule 26-3, the parties, by and through their respective counsel of record, hereby stipulate and request the Court to order that the deadline for the disclosure of expert witnesses currently scheduled for December 26, 2024, be extended 45 days

1 to February 9, 2025. As an extension of the expert witness deadline will impact other discovery
2 deadlines, the parties further stipulate and request the Court to adjust the discovery deadlines as set
3 forth herein. This is the first request for an extension of these deadlines. In support of this
4 Stipulation and Order, the parties state as follows:

5 1. Plaintiffs commenced this action June 5, 2024, and service on Defendants took place
6 thereafter.

7 2. Defendants filed their answers on or about September 3, 2024. Within the answers,
8 Defendants asserted various affirmative defenses and, in some cases, counterclaims against
9 Plaintiffs.

10 3. On September 24, 2024, Plaintiffs filed comprehensive motions to strike certain
11 affirmative defenses and to dismiss the counterclaims asserted against them. Additionally, Plaintiffs
12 filed a motion to exceed page limits, which Defendants did not oppose.

13 4. Briefing on Plaintiff's motions was completed on November 8, 2024. The motions
14 remain pending before the Court.

15 5. Since the filing of the motions, Plaintiffs and Defendants have engaged in the
16 planning conference mandated by Federal Rule of Civil Procedure 26(f) and submitted a discovery
17 plan and scheduling order. The Court entered a scheduling order on October 9, 2024.

18 6. The parties have exchanged their initial disclosures.

19 7. Discovery has been ongoing. On or about November 21, 2024, Plaintiffs' written
20 discovery on Defendants. Additionally, Plaintiffs served subpoenas *duces tecum* on various third
21 parties on or about November 22, 2024. Defendants have been preparing written discovery to be
22 served on Plaintiffs and subpoenas *duces tecum* to third parties to be served on in the immediate
23 future.

24 8. An extension of the expert witness deadline is necessary due to several

circumstances. First, the pending motions before the Court may impact the scope of this case and affect or limit the need for certain expert witness testimony. The parties are hopeful that the motions can be resolved given their potential impact on discovery. Second, attorney R. Todd Creer has been dealing with a personal matter as his mother-in-law was recently placed on hospice out-of-state and has recently passed, necessitating his attention to those circumstances. Third, the intervening holidays have and continue to impact availability and preparation of the disclosures.

9. Counsel for Plaintiffs graciously agreed to the requested extension. Thus, all parties agree to the requested extension.

10. This request is being made 21 days before the current disclosure deadline of December 26, 2024.

11. This request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely to allow sufficient time for the disclosure of potential expert witness(es) in this matter.

WHEREFORE, the parties respectfully request that the Court extend the deadline for initial expert witness disclosures by 45 days to February 9, 2025. As that extension will impact other discovery deadlines, the parties respectfully request that the Court also extend the following deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Initial Expert Witness Disclosure	December 26, 2024	February 9, 2025
Last Day to Extend Rebuttal Expert Witness Disclosure	January 6, 2025	February 20, 2025
Rebuttal Expert Witness Disclosure	January 27, 2025	March 13, 2025
Last Day to Extend Discovery Deadline	February 3, 2025	March 20, 2025
Discovery Deadline	February 24, 2025	April 10, 2025

Last Day to Extend Dispositive Motion Deadline	March 5, 2025	April 21, 2025 (to account for weekend)
Dispositive Motion Deadline	March 26, 2025	May 10, 2025
Last Day to Extend Joint Pre-Trial Order Deadline	April 4, 2025	May 19, 2025
Joint Pre-Trial Order Deadline	April 25, 2025	June 9, 2025 (or 30 days after decision on the dispositive motions)

DATED this 5th day of December, 2024.

/s/ Todd Creer

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IT IS SO ORDERED.

UNITED STATES MAGISTRATE JUDGE

DATED: _____